

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Lokayukta – Complaint No. 111/2007/B2 – Allegations against Sri J.S.Rama Rao, (f) CI of Police, Bhimavaram, now D.S.P. (Retd) and 2 others – Defence statements obtained – **Further action dropped** against Sri J.S.Rama Rao and Sri K.Krishna Prasad, Deputy Superintendents of Police (Retired) – Orders – Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 826

Dated: 10-05-2012

Read the following:-

1. From the Dy.Registrar, Institution of A.P. Lokayukta, Hyderabad, Letter Dis.No.111/2007/B2/6800/2009, dated 5.8.2009.
2. Govt. Memo No.23308/Ser.I/A2/2009-3, dated 21.8.2009.
3. From the Director General of Police, Hyderabad, Letter Rc.No.605/O2/2009, dated 1.7.2010.
4. Govt. Memo No.23308/Ser.I/A2/2009, dated 28.2.2011.
5. From the Director General of Police, Hyderabad, Letter Rc.No.605/O2/2009, dated 23.3.2012.

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ORDER:

In the reference 1st read above, the Dy.Registrar, Institution of A.P. Lokayukta, Hyderabad has informed that the Hon'ble Upa-Lokayukta, vide orders dated 23.7.2009 in Complaint No.111/2007/B2, directed the institution to forward copies of complaint, documents submitted by the complainant, scrutiny report of the Director (Investigation) and the enquiry report submitted by the Investigating Officer of the Institution together with the evidence collected by him, to the Government for taking action against the PS 1 ie., Sri J.S.Rama Rao (Retd.,) worked as Inspector of Police, Bhimavaram Rural Circle, and also held additional charge of Bhimavaram Town Circle from 28.6.2000 to 4.4.2001, as per rule 9 of A.P. Revised Pension Rules, 1980, after giving an opportunity to the complainant as well as the Public Servant and requested the Government to submit the result of the enquiry to the Institution.

2. In the reference 2nd read above, the Director General of Police, Hyderabad, was requested to examine the issue in detail and furnish his specific report thereon to the Government.

3. The Director General of Police, Hyderabad, in his letter 3rd read above, has reported that the Investigating Officer of A.P. Lokayukta levelled the following allegation pertaining to Police Department, against (1) Sri J.S.Rama Rao, formerly CI of Police, Bhimavaram, now D.S.P. (Retd); (2) Sri K.Krishna Prasad, formerly Inspector of Police, Bhimavaram Circle, now DSP (Retd); and (3) Sri P.Bharat Mataji, formerly SI of Police, Bhimavaram, now working in Krishna District:-

"That the Public Servants 1 to 4 i.e. Sri J.S.Rama Rao, (f) CI of Police, Bhimavaram, now DSP (Retd) (PS-1), Sri K.Krishna Prasad, DSP (Retd) (PS-2), Sri P.Bharat Mataji, formerly SI of Police, Bhimavaram, now CI of Police, Jaggampet, E.G. Dist. (PS-3) and Dr. T.Chander Rao, worked at Community Health Centre, Bhimavaram (PS-4), connived with suspected assailants and did the investigation in a Homicidal case in a perfunctory manner causing injustice to the kith and kin of the deceased".

The Director General of Police, Hyderabad has further reported that the Director, FSL, Hyderabad had confirmed that Organophosphate, an insecticide poison, was found in the viscera of Nallam Venkata Ratnam. Hence, it is a clearly evident that the above case is of suicide but not homicide and there are no grounds to put up case U/s 306 IPC. Further, Sri J.S.Rama Rao and Sri K.Krishna Prasad, have already retired from service and Sri P.Bharat Mataji, formerly SI of Police, Bhimavaram, now working in Krishna District is the only officer in service.

4. In the reference 4th read above, the Director General of Police, Hyderabad was requested to furnish copies of the entire report of Lokayukta and Upa-Lokayukta to the retired officers ie., Sri J.S.Rama Rao, DSP (Retd) and Sri K.Krishna Prasad, DSP (Retd), inviting their defense statements, and thereafter send the said defense statements, along with his specific remarks to the Government.

5. The Director General of Police, Hyderabad in his letter 4th read above, has reported that Sri J.S.Rama Rao, DSP (Retd) has submitted his defence statement stating that the complainant i.e. mother of deceased No.1, in her petition addressed to the Lokayukta herself mentioned that the letter pasted to the wall in the room of deceased No.2 was written by her son-in-law ie. deceased No.2, hence this is the best proof to say that it is the handwriting of the deceased No.2 itself. He further stated that according to Sec. 47 of Indian Evidence Act, if anybody who is acquainted with the handwriting of the deceased, identified the same as that of the handwriting of the deceased is admissible as proof, whereas the report of the handwriting expert is only an opinion with lesser degree of evidentiary value. Basing on the evidence collected during the inquest from the blood relative that the handwriting was identified as that of the deceased No.2 and it was mentioned in Col.No.15 of inquest report dated 13.3.2001. He finally stated that so far as his investigation is concerned it was done cautiously and sincerely without any favour or malice against any one involved in this case and that he is innocent of any allegations in this regard and requested to exonerate him. Sri K.Krishna Prasad, DSP (Retd) has also submitted his defence statement stating that even if the suicide notes were to be sent to the handwriting expert for confirmation whether they were written by the deceased or not, it required the sample handwriting and signatures and the admitted handwritings and signatures of the deceased. In this case, since the deceased committed suicide, there was no possibility of collection of sample handwritings and signature of the deceased-2 and as the house of the deceased was white washed and given on rent to some others by the time of his assuming charge of Bhimavaram Circle, so, he had no chance of collecting the admitted handwritings and signatures of the deceased-2. Hence, the question of sending the suicide notes to the handwriting expert does not arise. He further stated that the APP, Bhimavaram opined that Prosecution can be launched against T.Satyanarayana and P.Brahmaji, if any further evidence was available, since Sri J.S.Rama Rao examined all the possible witnesses including the blood relatives of the deceased-1 on 13.3.2001, nothing was left over for him to collect any additional material evidence about them. He finally stated that as the Director, FSL confirmed that Organo Phosphate and Incesticide poison was found in the viscera of the deceased-2 N.Venkata Ratnam, it is clear evidence that the above case is of suicide but not homicide and there are no grounds to put up a case u/s 306 IPC. He, therefore, requested to consider his statement of defence sympathetically and lodged the same. The Director General of Police, Hyderabad further reported that the disciplinary action against Sri P.Bharat Mataji, former SI of Police, Bhimavaram, now CI Jaggampet, E.G. District, who is in service, was concluded with a 'warning', vide his Proceedings C.No.605/O2/2009, dated 1.1.2012, and requested the Government to give disposal to the action initiated against the retired officers as deemed fit.

6. After careful examination of the entire matter, by considering the defence statements submitted by Sri J.S.Rama Rao, DSP (Retd) and Sri K.Krishna Prasad, DSP (Retd), Government hereby **drop further action in the matter** against the said two retired officers.

7. The Director General of Police, A.P., Hyderabad, is requested to take necessary follow up action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Director General of Police, A.P., Hyderabad.
The Individuals concerned
through Director General of Police, A.P., Hyderabad.

Copy to:
The Deputy Registrar,
Institution of A.P. Lokayukta,
5-9-49, Basheerbagh,
Hyderabad-500063.

SF/SC

// Forwarded :: by order //

SECTION OFFICER